



RE•NEWS



RELEASE • RESTORE • REDEVELOP

INSIDE THIS ISSUE • INSIDE THIS ISSUE • INSIDE THIS ISSUE • INSIDE THIS ISSUE

Record of Decision Issued for
Fox River Cleanup.....1

DNR Awards 54 Brownfield Site Assessment
Grants to Local Governments.....3

RR South Central Staff Temporarily
Move to Madison.....4

NR Board Approves Drycleaner
Rule Changes.....5

Staff Updates.....5

Green Bay Brownfield Goes From
Taxis to Groceries.....6

What is the Local Government Liability
Exemption?.....7

RECORD OF DECISION ISSUED FOR FOX RIVER CLEANUP

In February, the Wisconsin Department of Natural Resources (DNR) and the U.S. Environmental Protection Agency (EPA) released the Record of Decision (ROD) on the plan for cleaning up contaminated sediment from a 26-mile portion of the Lower Fox River.

The ROD represents the final decision by the DNR and EPA on the remedial plan for cleanup of polychlorinated biphenyl (PCB) contaminated sediment on two sections of the Fox River – from Little Lake Butte des Morts to Little Rapids. The river sections covered by the ROD are designated as Operable Units 1 and 2.

These reaches represent approximately 26 miles of the 39-mile distance between Lake Winnebago and the mouth of the Lower Fox River at Green Bay. A decision for OU-3, which



A portion of Operable Unit 2 -- from Appleton to Little Rapids -- described in the DNR's Record of Decision (DNR photo).

FEATURE

RECORD OF DECISION ISSUED FOR FOX RIVER CLEANUP (CON'T.)

runs from Little Rapids to De Pere; OU-4, running from De Pere to Green Bay; and OU-5, covering Green Bay, is scheduled to be completed by June of this year.

"I consider cleaning up the Fox River to be one of the top three priorities for the DNR right now," said DNR Secretary Scott Hassett. "It's important we get started on the actual cleanup now and in a way that enhances the environment for the people of our state. I am confident this decision opens the way for us to do just that."

Tom Skinner, EPA Region 5 Administrator, stated: "By issuing this ROD for only Operable Units 1 and 2, we have taken a phased approach to the remedial work. Thus, work on the upstream areas can already be underway when the downstream areas start, which is EPA's national approach to river sediment cleanups."

Upstream Cleanup

Engineers estimate that OU-1, the Little Lake Butte des Morts section, contains approximately 4,100 pounds of PCBs in 2.2 million cubic yards of sediment. The ROD calls for hydraulic dredging to remove 784,000 cubic yards of contaminated sediment, which contains more than 90% of the PCB mass in the Little Lake Butte des Morts portion of the river. The dredged material will be treated, dewatered, and taken to an engineered landfill for permanent disposal. The estimated cost of cleanup of the Little Lake Butte des Morts section is \$66.2 million.

The section known as OU-2, from Appleton to Little Rapids, contains approximately 240 pounds of PCBs in 339,200 cubic yards of sediment. State and federal officials have agreed to a monitored natural recovery as the remedy for this section. This remedy relies on natural processes to break down, dilute, or bury the PCBs, and on a program designed to monitor the levels of PCBs in the sediment.

A significant portion of the PCBs originally contained in this reach has already been removed through a \$3.9 million demonstration project conducted in 1998 and 1999. As a result, DNR and EPA officials have stated that no significant deposits of contaminated sediment with concentrations of PCBs above 1 part per million remain in this stretch of the Fox River. The estimated cost for monitoring OU-2 from Appleton to Little Rapids is \$9.9 million.

PCBs were discharged into the Lower Fox River during the manufacturing and recycling of carbonless copy paper, primarily between 1954 and 1971. According to officials, removal of contaminated sediment will result in reduced risks from PCBs in fish tissue to levels protective of human health and the environment, and help DNR and EPA reach their stated goal for the removal of all fish consumption advisories for the river and the bay of Green Bay.

Public Response and More Information

About 100 area residents attended a joint DNR-EPA public information meeting held on January 29 in Appleton. Officials held the meeting to brief citizens on the ROD and the plans for the initial cleanup in OU-1 and OU-2, as well as future decisions on the remaining portions of the river. Citizens were able to ask questions about the decision as well as voice any concerns they may have about the cleanup plans.

The Administrative Record for the Lower Fox River and Green Bay, including the ROD and all documents that formed the basis for DNR's and EPA's selection, is available for public review at the following locations:

- DNR's central office in Madison, 101 S. Webster, third floor, in the Remediation and Redevelopment (RR) Bureau;
- DNR's Lower Fox River Basin Team offices, 801 E. Walnut St., Green Bay; and
- EPA's Region 5 Records Center, 77 W. Jackson Blvd., Chicago.

Copies of the ROD and other site related documents are also available at the following public information repositories:

- Appleton Public Library, 225 N. Oneida St., Appleton;
- Brown County Library, 15 Pine St., Green Bay;
- Door County Library, 107 S. Fourth St., Sturgeon Bay;
- Oneida Community Library, 201 Elm St., Oneida; and
- Oshkosh Public Library, 106 Washington Ave., Oshkosh.

For more information, please contact: Ed Lynch, DNR Fox River Project Manager, 608-266-3084, or edward.lynch@dnr.state.wi.us; or Mick Hans, EPA Public Affairs Manager, 312-353-5050, or hans.mick@epa.gov.

DNR AWARDS 54 BROWNFIELD SITE ASSESSMENT

GRANTS TO LOCAL GOVERNMENTS



In January, the Department of Natural Resources (DNR) announced \$1.7 million in grants to assess contamination at abandoned or underused properties in communities across the state. This is the fourth round of awards for the Brownfield Site Assessment Grant (SAG) program. The DNR will fund 54 grants to help 38 communities begin the process to revitalize and redevelop contaminated properties.

Small grants (up to \$30,000) make up 49 of the awards, while five are large grants (between \$30,000 and \$100,000). In total, the DNR received 85 applications totaling approximately \$3.5 million in requests, nearly twice as much money than was available.

"The DNR continues to receive more grant requests than we are able to fund," says Darsi Foss, DNR Brownfields Section chief. "Many of these projects are extremely important to the economic vitality of Wisconsin's communities, and are critical to the cleanup and redevelopment of environmentally contaminated sites across the state."

The SAG funds preliminary activities at brownfield sites. These activities include environmental site assessments, site investigations, demolition, asbestos removal associated with demolition, and removal of abandoned containers and underground storage tanks. Brownfields are abandoned, idle or underused industrial or commercial properties where redevelopment is hindered by real or perceived contamination.

The following local governments are receiving Round 4 grants:

Cities and Villages

City of Beloit	Abandoned Vacant Lot	\$4,800
City of Black River Falls	H&R Krueger Service, Inc.	\$30,000
City of Burlington	Former Bel-Mur Site	\$30,000
City of Chilton	Former Mirro Plant	\$29,900
City of Delavan	Former Parking Lot	\$24,500
City of Delavan	Fire Station	\$26,500
City of Delavan	Former Borg Plant Property	\$100,000
City of Eau Claire	North Barstow Redevelopment	\$100,000
City of Gillett	Mr. B's	\$30,000
City of Kenosha	C&L Industrial Cleaners	\$30,000
City of Marinette	Hattie Street Extension	\$100,000
City of Mellen	Mellen Mart Property	\$30,000
City of Mequon	Icke & Bubnitz, Inc.	\$30,000
City of Milwaukee	Former US Leather Property - Area A	\$29,500
City of Milwaukee	3009 N. Humboldt Blvd.	\$29,000
City of Milwaukee	1605 N. 31st St.	\$30,000
City of Milwaukee	3048 W. Galena	\$18,964
City of Onalaska	Onalaska Redev. Project	\$11,760
City of Oshkosh	Wis. Automated Machinery	\$100,000
City of Richland Center	Old Center Tire Mart	\$30,000
City of Richland Center	Matt's Auto Body	\$30,000
City of Richland Center	Sutton Electric	\$30,000
City of West Allis	Six Points/Farmers Market	
	Redevelopment - 100 Series	\$29,900
City of West Allis	Former Wehr Steel Facility	\$29,900
City of West Allis	Novak Site	\$29,900
City of West Allis	Six Points/Farmers Market	
	Redevelopment - 700 Series	\$99,900
Village of Neshkoro	Schmitz Property	\$26,000
Village of North Hudson	Lake Mallalieu Railroad Property	\$2,750
Village of Ogdensburg	Downtown Project	\$18,000
Village of Potosi	Potosi Brewery	\$30,000
Village of Rosholt	Abandoned Feed Mill Site	\$30,000
Village of Sharon	Former Sharon Service Station	\$10,500
Village of Sharon	Former Jimmy's Gas & Go	\$23,500

DNR AWARDS 54 BROWNFIELD SITE ASSESSMENT GRANTS TO LOCAL GOVERNMENTS (CON'T.)

Village of Suring	Former Suring Family Center Grocery	\$30,000
Village of Sussex	Former Friday Canning Facility	\$30,000
Village of Waunakee	Former Stokely USA Property (Parcel B)	\$30,000
Village of Waunakee	Former Stokely USA Property (Parcel C)	\$30,000
Village of West Milwaukee	SBC II Redevelopment	\$30,000

Counties

Adams County	Feiler Property	\$29,990
Chippewa County	Chippewa Falls Bi Products	\$23,000
Door County Parks Dept.	Ahnapee Trail Maplewood Wayside	\$12,750
Douglas County	Solon Springs Gas Station/ Convenience Store	\$30,000
Douglas County	Solon Springs Bulk Plant	\$23,034
Iron County	Hi-Way 77 West Mini Market	\$25,000
Marathon County Health Dept.	Former Wausau Energy	\$15,000
Milwaukee County	Redev. of Former Park East Expressway - Area 2	\$30,000
Milwaukee County	Redev. of Former Park East Expressway - Area 3	\$30,000
Polk County	Woodley Dam	\$30,000
Washburn County	Circle C Store	\$11,428
Waupaca County	Wohlrahe Site	\$25,000

Redevelopment Authorities (RDAs)

RDA of the City of Appleton	Former Valmet Inc. Property	\$20,000
RDA of the City of Milwaukee (RACM)	Grand Trunk	\$30,000
RACM	Morton Salt	\$30,000
RACM	2101 N. Humboldt	\$16,000

The Brownfields Study Group, a state-wide advisory task force, recommended the creation of the SAG program in 1998 to help local governments "jump-start" new brownfields projects. For the current 2001-2003 State Budget, \$3.4 million was allocated for the SAG. The DNR gave out the first \$1.7 million of this funding in spring of 2002. In the first three rounds, the DNR awarded 103 grants worth \$3.15 million to 72 communities across the state.

For more information about the Site Assessment Grant program, please visit the DNR's RR Program web site at www.dnr.state.wi.us/org/aw/rr/rbrownfields/sag.htm. You may also contact Michael Prager (608-261-4927 or michael.prager@dnr.state.wi.us) or Jessica Milz (608-267-0559 or jessica.milz@dnr.state.wi.us) if you have any questions about the program.

RR SOUTH CENTRAL STAFF TEMPORARILY MOVE TO MADISON

Due to a construction project at the DNR's South Central Regional (SCR) building in Fitchburg RR staff have temporarily moved to offices at the corner of Williamson and Blount streets in downtown Madison. Regional staff telephone numbers and email addresses will not change during this relocation, but mailing addresses will be different. Please address mail for these staff to "Jane Doe", Department of Natural Resources/WB, Box 7921, Madison, WI 53707.



The SCR building was constructed in 1980, and renovation and repairs have been planned for five years. Many systems, such as heating and ventilation, are in need of upgrade. If you have any questions about the temporary move or about the construction project, please contact Pat McCutcheon, team supervisor for the RR Program's South Central Region, at 608-275-3241, or pat.mccutcheon@dnr.state.wi.us.



NR BOARD APPROVES DRYCLEANER RULE CHANGES

In January the Natural Resources Board (NRB) adopted revisions to the Dry Cleaner Environmental Response Fund (DERF) rule, Chapter NR 169, Wis. Adm. Code. The rule will now go to the State Legislature for review, and DNR staff anticipate the rule becoming effective as early as May 1, 2003. Updates on the rule status, as well as the revised rule language, are posted on the RR web site at www.dnr.state.wi.us/or/aw/rr.

In other news, the States Coalition for the Remediation of Drycleaners (SCRD), a coalition of states with specific drycleaner remediation programs, has a number of publications available to the public. In particular, the publication entitled *Conducting Contamination Assessment Work at Drycleaning Sites* is a valuable tool for documenting the history of chemicals and processes used at drycleaners, as well as describing places one would most likely find contamination at a drycleaning facility.

For example, did you know that perchloroethylene was introduced as a drycleaning solvent in 1934, and by 1948 it surpassed carbon tetrachloride as the solvent of choice for most drycleaners? Or that coin-operated drycleaning machines do not have distillation units and therefore do not produce separator water? And what do you know about spotting and pre-cleaning agents and their associated wastes? Find out all you need to know with this publication, which is available on the SCRD web site at www.drycleancoalition.org, along with information about the various state drycleaner remediation programs.

STAFF UPDATES

Northern Region

Phil Richard joins the RR Program in the DNR's Park Falls office as a hydrogeologist. Phil previously worked as a project manager in private consulting for 12 years. Welcome Phil!

Sara Gossfeld-Benzing is the RR's new brownfields outreach LTE for the Northern Region in the DNR's Superior office. Sara has already worked for the DNR, serving as a park ranger and naturalist from 1999 to 2002. Welcome Sara!

Cathy Cleland is the new waste management specialist for the RR's Rhinelander office. Cathy is also an LTE in the DNR's Waters Program working with exotic aquatic species.

Southeast Region

Melanie Jacobs is the RR Program's new program assistant LTE for the Southeast Region in Milwaukee. Melanie is a UW-Milwaukee student, where she expects to graduate in May with a Bachelor of Science Degree in conservation/environmental science. Welcome Melanie!

South Central Region

Lee Liebenstein joins the RR Program as the Petroleum Team leader, and is based in the South Central Regional office in Fitchburg. Lee comes from the DNR's Watershed Program, and has been with the agency since 1975. Welcome Lee!

Eric Michaels is the RR's new brownfields outreach LTE for the South Central Region, and will be located in the Fitchburg office. Eric is a UW-Madison graduate and previously worked for the National Park Service in Estes Park, Colorado. Welcome Eric!





SUCCESS STORIES

GREEN BAY BROWNFIELD GOES FROM TAXIS TO GROCERIES

Brownfields take many different forms – including old warehouses and factories, abandoned scrap yards, ancient railroad depots and ex-service stations.

The city of Green Bay, with a population of 103,000, has its share of typical brownfields, including a former service station that also served as a taxi service for Titledown residents.

History and Cleanup

The site originally operated as a gas station for several years before it became the Bay City Cab Company. The city of Green Bay took title from Bay City in 1997 and immediately incorporated the site into its plans for revitalizing the downtown area.

Problems with the site mirrored other former gas station properties around the state – soil and groundwater in the area were contaminated with petroleum, lead and benzene. In addition, the groundwater also had methyl tertiary-butyl ether (MTBE) contamination and low levels of petroleum volatile organic compounds (PVOs).



The former Bay City Cab Company was located on the property in the 1990s. (photo courtesy of On Broadway).

Workers removed 883 yards of soil at the site and stored them in five "biopiles," a unique way of turning former contaminated soil into usable fill materials (please see figure 1).

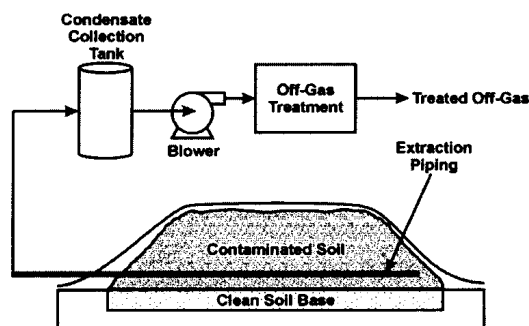


Figure 1. Example of how a Biopile may operate (figure courtesy of NFESC Environmental).

Biopiles are remediation systems designed to provide optimum temperature, moisture content, aeration, and nutrient conditions to promote rapid biodegradation. In most cases, degradation is achieved through the use of microorganisms.

The aerated piles are constructed to allow forced air flow so that the oxygen supply can be more accurately controlled. The material is piled over perforated pipes connected to a blower to withdraw air from the pile. These optimal conditions promote the breakdown of certain contaminants.

Depending on the setup of the biopile, remediation can take less than six months. Hydrogeologists make the final determination of biopile remediation and reuse. Soils from the Bay City Cab site were remediated sufficiently and used on various other redevelopment projects in the city.

GREEN BAY BROWNFIELD GOES FROM TAXIS TO GROCERIES (CON'T.)

The site's groundwater contamination was remediated using natural attenuation, a process allowing petroleum contamination to be reduced through natural processes. The city conducts semi-annual groundwater sampling and analytical testing to monitor progress of the natural attenuation. Soil and groundwater deed restrictions were also recorded for the property.

After soil and groundwater cleanup, removal of former gas tanks and demolition of the old buildings, the Save-A-Lot company built a new grocery store on the property in 2000, and now employs 3 full-time and 17 part-time employees. With the new business and new jobs, the value of the property has increased from approximately \$75,000 in 1996 to close to \$700,000 in 2001.

Helpful Redevelopment Tools

Thanks to a local government liability exemption available through the DNR, the city was able to take on the site without worrying about being liable for the cost of investigating and cleaning up any previous contamination at the property (please see "What is the Local Government Liability Exemption?" story on this page).

According to Michelle Syring, the Remediation and Redevelopment's (RR) brownfields outreach specialist, Green Bay officials were very persistent in getting the site cleaned up and redeveloped. "Through the city's downtown redevelopment initiative, officials worked with local residents and private developers in finding the best re-use for this brownfield," said Syring. "Residents had direct input into what was developed, the size of the development and the aesthetics of the structure."

Syring added that, in addition to removing a former eyesore in the neighborhood, a nearby retirement community now has a grocery store literally within walking distance of their homes. "This is a great example of how community input and support can result in a positive redevelopment and revitalization of a blighted property," said Syring.

For more information about the site, please contact Michelle Syring, RR Northeast Region, at 920-492-5878, or michelle.syring@dnr.state.wi.us.



The new Save-A-Lot Grocery Store, built in 2000 as part of Green Bay's redevelopment initiative (photo by Michelle Syring).

What is the Local Government Liability Exemption?

The local government unit (LGU) exemption, s. 292.11 (9)(e), Wis. Stats., was created in 1994 as part of Wisconsin's Land Recycling Law. Under this exemption, a local government is not responsible to investigate or clean up contamination that existed on a property prior to the local government acquiring the property in one of the following ways:

- through tax delinquency foreclosure proceedings;
- by order of a bankruptcy court;
- from another exempt LGU;
- through condemnation or another proceeding under ch. 32, Wis. Stats. (eminent domain);
- for the purpose of slum clearance or blight elimination;
- through escheat (property transferred to the LGU when there are no legal heirs or when the heirs disclaim the property); and
- through the use of funds from the state's Stewardship Grant Program.

The local government does not have to apply for or receive DNR approval for the exemption. The exemption protects a municipality from liability, unless a hazardous substance discharge is caused by an action taken by the local government or the local government fails to take limited actions to prevent further discharges.

The exemption provides an incentive to local governments to get involved in the cleanup and redevelopment of contaminated properties. Often local governments who utilize this exemption seek financial assistance to cleanup and redevelop the properties.

For more information about the LGU exemption, please contact Dan Kolberg, RR brownfields specialist, at 608-267-7500, or dan.kolberg@dnr.state.wi.us; or check out Fact Sheet 7, *Liability Protection for Local Government Units and Economic Development Corporations* (publication #RR-579), on the RR web site at www.dnr.state.wi.us/org/aw/rr/archives/pubs/RR579.pdf.

RENEWS

RELEASE • RESTORE • REDEVELOP



For More Information: *Re News* is published quarterly by the Wisconsin Department of Natural Resources Bureau for Remediation and Redevelopment.

This newsletter is available in alternate format upon request. Please call 608-267-3543.

Our Web Site Is : <http://www.dnr.state.wi.us/org/aw/rr>

Refer comments and questions to :

Bureau For Remediation & Redevelopment
Wisconsin DNR
P.O. Box 7921
Madison, WI 53707 608-261-6422

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services and functions under an Affirmative Action Plan.

This newsletter may contain summary information about certain state statutes and/or rules and does not include all of the details found in the statutes/rules. Readers should consult the actual language of the statutes/rules to answer specific questions.

Department of Natural Resources
Bureau for Remediation and Redevelopment, RR/3
P.O. Box 7921
Madison, WI 53707

Presorted Standard
U.S. POSTAGE
PAID
Madison, WI
Permit No. 906